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#### JACOB BISHOP

jacob.bishop@dechert.com +1 (215) 994-2286 Direct +1 (215) 655-2286 Fax

February 10, 2009

#### **VIA U.S. EXPRESS MAIL**

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Opposition No. 91/178,539
SmithKline Beecham Corporation v. Omnisource DDS, LLC

Dear Sir or Madame:

Enclosed for filing in this matter are the following:

- Opposer's First Notice of Reliance
- Opposer's Eighth Notice of Reliance

Sincerely,

Enclosures

cc: Erik M. Pelton

Erik M. Pelton & Associates

P.O. Box 100637 Arlington, VA 22210

Counsel for Applicant Omnisource DDS, LLC

# IN THE UNITED STATES PATENT AND TRADEMARK OFFIC BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SMITHKLINE BEECHAM CORPORATION

Opposer,

V.

Opposition No.: 91178539

OMNISOURCE DDS, LLC

.

Applicant.

### OPPOSER'S EIGHTH NOTICE OF RELIANCE

Pursuant to Rule 122(e) of the Trademark Rules of Practice, Opposer SMITHKLINE BEECHAM CORPORATION hereby gives notice of its reliance upon the enclosed notices of abandonment for the following federal trademark applications, which are matters of public record at the U.S. Patent and Trademark Office.

MARK APPLICATION NO.

AQUAJET 76/594,977

AQUAPIK 76/594,979

OMNIJET 78/892,761

SHOWERJET 76/595,958

Opposer also gives notice of its reliance upon the enclosed institution order for the Notice of Opposition which was filed against the following federal trademark application, which is a matter of public record at the U.S. Patent and Trademark Office.

MARK APPLICATION NO.

OMNIPIK 78/811,971

These records are relevant to this opposition, because Applicant, Omnisource DDS, LLC, has cited these applications as evidence of its *bona fide* intent to use the mark shown in U.S. application serial number 78/893,144, which is the subject of this proceeding. The enclosed records demonstrate, among other things, that the cited applications have been abandoned or opposed.

Respectfully submitted,

Glenn A. Gundersen

Erik Bertin

Jacob R. Bishop

DECHERT LLP

Cira Centre, 2929 Arch Street

Philadelphia, PA 19103-2808

(215) 994-4183

Attorneys for Opposer SMITHKLINE BEECHAM CORPORATION

Dated: February 10, 2009

### Certificate of Mailing by Express Mail

I hereby certify that this Opposer's First Notice of Reliance is being deposited with the United States Postal Service as Express Mail, Post Office to Addressee in an envelope addressed to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451, on February 10, 2009

Jacob R. Bishop
Person Signing Certificate
Date of Signature

EV 855691735 US

Express Mail Number

### Certificate of Service

I hereby certify that a true and correct copy of the foregoing Opposer's First Notice of Reliance has been duly served by mailing such copy first class, postage prepaid, to Erik M. Pelton, Erik M. Pelton & Associates, P.O. Box 100637, Arlington, VA 22210, on February 10, 2009.

Jacob R. Bishop

Document Description: Notice of Abandonment

Mail / Create Date: 05-Aug-2005





#### UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks P.O. Box 1451 Alexandria, VA 22313-1451 www.uspto.gov

Aug 05, 2005

### NOTICE OF ABANDONMENT

TM115

James H. Wynn Lord, Bissell & Brook LLP 300 South Grand Avenue 8th Floor Los Angeles CA 90071 ATTORNEY REFERENCE NUMBER:

**SERIAL NUMBER:** 

APPLICANT:

76/594977

MARK:

AQUAJET

Omnisource D.D.S.

THE ABOVE IDENTIFIED TRADEMARK APPLICATION WAS ABANDONED ON 07/05/2005 FOR THE FOLLOWING REASON:

NO RESPONSE TO THE OFFICE ACTION MAILED ON 01/04/2005 WAS RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO) WITHIN THE SIX-MONTH RESPONSE PERIOD. (15 U.S.C. 1062 (b); TRADEMARK RULE 2.65(a)).

#### YOU CAN REQUEST REINSTATEMENT OF THE APPLICATION FOR NO FEE IF:

- \* YOU HAVE PROOF THAT YOUR RESPONSE WAS RECEIVED IN THE USPTO ON OR BEFORE THE DUE DATE SUCH AS A POSTCARD WITH A USPTO MAILROOM DATE STAMP; OR,
- \* YOU MAILED OR FAXED THE RESPONSE ON OR BEFORE THE DUE DATE WITH A CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION. IN ACCORDANCE WITH USPTO RULE 2.197, 37 CFR SEC. 2.197.

YOU MUST SUBMIT A COPY OF THE PREVIOUSLY SUBMITTED TIMELY RESPONSE WITHIN 2 MONTHS OF THE DATE PRINTED AT THE TOP OF THIS NOTICE ALONG WITH ONE OF THE TYPES OF PROOF SET OUT ABOVE. YOU MAY FAX THIS INFORMATION TO 571-273-8950.

IF YOU DO NOT HAVE THE PROOF NECESSARY FOR REINSTATEMENT, YOU CAN REQUEST REVIVAL OF THE APPLICATION, UNDER USPTO RULE 2.66, 37 CFR SEC. 2.66, BY:

- \* FILING A "PETITION TO REVIVE" WITHIN 2 MONTHS OF THE DATE PRINTED AT THE TOP OF THIS NOTICE, INDICATING THAT THE REASON FOR THE DELAY IN RESPONDING BY THE DUE DATE WAS "UNINTENTIONAL";
- \* PAYING THE PETITION FEE OF \$100, MADE PAYABLE TO THE COMMISSIONER OF TRADEMARKS; AND
- \* INCLUDING A COPY OF THE RESPONSE TO THE OFFICE ACTION (IF YOU DID RECEIVE THE OFFICE ACTION OTHERWISE, INCLUDE A STATEMENT THAT YOU DID NOT RECEIVE THE OFFICE ACTION.)

FOR FURTHER INFORMATION CALL 1-800-786-9199

### TDR Home

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### If you need help:

- General trademark information: Please e-mail <u>TrademarkAssistanceCenter@uspto.gov</u>, or telephone either 571-272-9250 or 1-800-786-9199.
- Technical help: For instructions on how to use TDR, or help in resolving technical glitches, please e-mail <u>TDR@uspto.gov</u>. If outside of the normal business hours of the USPTO, please e-mail <u>Electronic Business Support</u>, or call 1-800-786-9199.
- Questions about USPTO programs: Please e-mail <u>USPTO Contact Center (UCC)</u>.

**NOTE**: Within any e-mail, please include your telephone number so we can talk to you directly, if necessary. Also, include the relevant serial number or registration number, if existing.

Document Description: Notice of Abandonment

Mail / Create Date: 29-Dec-2008



#### Side - 1



### NOTICE OF ABANDONMENT MAILING DATE: Dec 29, 2008

The trademark application identified below was abandoned because the applicant failed to file for a statement of use or an extension of time.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement must be received within two months from the mailing date of this notice.

For additional information, go to http://www.uspto.gov/teas/petinfo.htm. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

SERIAL NUMBER: 76594979

MARK:

**AQUAPIK** 

OWNER:

OMNISOURCE DDS, LLC

#### Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE COMMISSIONER FOR TRADEMARKS P.O. BOX 1451 ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL U.S POSTAGE PAID

Thomas I. Rozsa Rozsa Law Group LC 18757 Burbank Boulevard, Suite 220 Tarzana, CA 91356-3346



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- Questions about USPTO programs: Please e-mail <u>USPTO Contact Center (UCC)</u>.

**NOTE**: Within any e-mail, please include your telephone number so we can talk to you directly, if necessary. Also, include the relevant serial number or registration number, if existing.

Document Description: Notice of Abandonment

Mail / Create Date: 05-Jan-2009



#### Side - 1



# NOTICE OF ABANDONMENT MAILING DATE: Jan 5, 2009

The trademark application identified below was abandoned because the applicant failed to file for a statement of use or an extension of time.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.** 

For additional information, go to http://www.uspto.gov/teas/petinfo.htm. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

SERIAL NUMBER: 78892761

MARK:

**OMNIJET** 

OWNER:

Omnisource DDS, LLC

#### Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE COMMISSIONER FOR TRADEMARKS P.O. BOX 1451 ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL U.S POSTAGE PAID

THOMAS I ROZSA ROZSA LAW GROUP LC 18757 BURBANK BLVD STE 220 TARZANA , CA 91356-3346



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- Questions about USPTO programs: Please e-mail USPTO Contact Center (UCC).

**NOTE**: Within any e-mail, please include your telephone number so we can talk to you directly, if necessary. Also, include the relevant serial number or registration number, if existing.

Document Description: Notice of Abandonment

Mail / Create Date: 12-Jan-2009



#### Side - 1



# NOTICE OF ABANDONMENT MAILING DATE: Jan 12, 2009

The trademark application identified below was abandoned because the applicant failed to file for a statement of use or an extension of time.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.** 

For additional information, go to http://www.uspto.gov/teas/petinfo.htm. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

SERIAL NUMBER: 76595958

MARK:

**SHOWERJET** 

OWNER:

OMNISOURCE DDS, LLC

#### Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE COMMISSIONER FOR TRADEMARKS P.O. BOX 1451 ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL U.S POSTAGE PAID

Thomas I. Rozsa Rozsa Law Group LC 18757 Burbank Boulevard, Suite 220 Tarzana, CA 91356-3346



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- Technical help: For instructions on how to use TDR, or help in resolving technical glitches, please e-mail <u>TDR@uspto.gov</u>. If outside of the normal business hours of the USPTO, please e-mail <u>Electronic Business Support</u>, or call 1-800-786-9199.
- Questions about USPTO programs: Please e-mail <u>USPTO Contact Center (UCC)</u>.

**NOTE**: Within any e-mail, please include your telephone number so we can talk to you directly, if necessary. Also, include the relevant serial number or registration number, if existing.

United States Patent and Trademark Office Trademark Trial and Appeal Board P.O. Box 1451 Alexandria, VA 22313-1451

Mailed: January 9, 2007

Opposition No 91175031 Serial No. 78811971

THOMAS I. ROZSA
ROZSA LAW GROUP LC
18757 BURBANK BLVD STE 220,
TARZANA, CA 91356-3346 UNITED STATES

Water Pik, Inc.

v.

Omnisource DDS, LLC

Carla J. Vrsansky Buchanan Ingersoll & Rooney PC 301 Grant Street, 20th Floor, Pittsburgh, PA 15219 UNITED STATES

#### Denise M. DelGizzi, Paralegal Specialist

A notice of opposition to the registration sought in the above-identified application has been filed. A copy of the notice is attached.

ANSWER IS DUE FORTY DAYS after the mailing date hereof. (See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that affect the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003). Notices concerning the rules changes, as well as the Trademark Trial and Appeal Board Manual of Procedure (TBMP), are available at www.uspto.gov/web/offices/dcom/ttab/.

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.

#### Discovery and testimony periods are set as follows:

1/29/07 Discovery period to open:

7/28/07 Discovery period to close:

30-day testimony period for party

in position of plaintiff to close: 10/26/07

30-day testimony period for party

12/25/07 in position of defendant to close:

15-day rebuttal testimony period

2/8/08 for plaintiff to close:

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

NOTE: The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the Official Gazette notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). The notice is available at http://www.uspto.gov. Interlocutory matters which the Board agrees to discuss or decide by phone conference may be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

#### New Developments at the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at http://estta.uspto.gov. Images of TTAB proceeding files can be viewed using TTABVue at http://ttabvue.uspto.gov.

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SMITHKLINE BEECHAM CORPORATION

Opposer,

: Opposition No.: 91178539

OMNISOURCE DDS, LLC

V.

Applicant.

### OPPOSER'S FIRST NOTICE OF RELIANCE

Pursuant to Rule 122(d) of the Trademark Rules of Practice, Opposer SMITHKLINE BEECHAM CORPORATION hereby gives notice of its reliance upon the following federal trademark registrations owned by Opposer. Status and title copies of those registrations are attached hereto.

MARK	REGISTRATION NO.
AQUAFRESH SENSITIVE	1,805,051
AQUA	2,304,437
AQUAFRESH FLEX	1,662,981
AQUAFRESH	1,006,821
AQUAFRESH & cat toothbrush design	2,706,176
AQUAFRESH & penguin toothbrush design	2,699,482
AQUAFRESH & elephant toothbrush design	2,706,175
AQUAFRESH FLEX (stylized)	2,587,675
AQUAFRESH FLEX TIP MAX-ACTIVE	2,759,361
AQUAFRESH & toothbrush design	2,754,841
AQUAFRESH ALL	2,314,839
AQUAFRESH EXTREME CLEAN	2,615,649
AQUAFRESH AQUABLAST	2,811,892

AQUAFRESH XTENSIVE	3,058,216
AQUAFRESH WHITE & SHINE	3,218,965
AQUAFRESH IMPACT	3,110,249
AQUAFRESH DIRECT	2,985,548
AQUA FLOSS	1,660,337

Respectfully submitted,

Glenn A. Gundersen

Erik Bertin Jacob R. Bishop DECHERT LLP

Cira Centre, 2929 Arch Street Philadelphia, PA 19103-2808 (215) 994-4183

Attorneys for Opposer SMITHKLINE BEECHAM CORPORATION

Dated: February 10, 2009

### Certificate of Mailing by Express Mail

I hereby certify that this Opposer's First Notice of Reliance is being deposited with the United States Postal Service as Express Mail, Post Office to Addressee in an envelope addressed to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451, on February 10, 2009

Jacob R. Bishop	February 10, 2009	
Person Signing Certificate	Date of Signature	
Person Signing Certificate	EV 855691735 US	
Signature	Express Mail Number	
1		

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposer's First Notice of Reliance has been duly served by mailing such copy first class, postage prepaid, to Erik M. Pelton, Erik M. Pelton & Associates, P.O. Box 100637, Arlington, VA 22210, on February 10, 2009.



# THER OCHUBED STRAIRS OBANTER (CA)

# TO ALL TO WHOM THESE, PRESENTS SHALL COME: UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,805,051 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM November 16, 1993
1st RENEWAL FOR A TERM OF 10 YEARS FROM November 16, 2003
SECTION 8 & 15
SAID RECORDS SHOW TITLE TO BE IN:

Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

P. R. GRANT

Prior U.S. Cl.: 52

# United States Patent and Trademark Office Registered Nov. 16, 1993

# TRADEMARK PRINCIPAL REGISTER

### **AQUAFRESH SENSITIVE**

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA, P.O. BOX 7929 PHILADELPHIA, PA 19101

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CL. 52).
FIRST USE 8-0-1992; IN COMMERCE 8-0-1992.

OWNER OF U.S. REG. NOS. 1,038,376, 1,097,151, AND OTHERS.
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SENSITIVE", APART FROM THE MARK AS SHOWN.

SN 74-289,730, FILED 6-26-1992.

LYNN A. LUTHEY, EXAMINING ATTORNEY



THER UNITED STRAIRS (DEMINER CA)

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

**United States Patent and Trademark Office** 

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,304,437 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM December 28, 1999 SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

P. R. GRANT



Int. Cls.: 3 and 21

Prior U.S. Cls.: 1, 2, 4, 6, 13, 23, 29, 30, 33, 40,

50, 51, and 52

Reg. No. 2,304,437

United States Patent and Trademark Office

Registered Dec. 28, 1999

# TRADEMARK PRINCIPAL REGISTER

### **AQUA**

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 8-1-1999; IN COMMERCE 8-1-1999.

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).
FIRST USE 8-1-1999; IN COMMERCE 8-1-1999.
OWNER OF U.S. REG. NOS. 1,006,820, 1,662,981, AND OTHERS.

SN 75-095,460, FILED 4-29-1996.

STEVEN R. FINE, EXAMINING ATTORNEY



# INTERIORIUNED STANDS ORAMIDERICA

### TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,662,981 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM October 29, 1991

1st RENEWAL FOR A TERM OF 10 YEARS FROM October 29, 2001

SECTION 8 & 15

AMENDMENT/CORRECTION/NEW CERT(SEC7) ISSUED SAID RECORDS SHOW TITLE TO BE IN:

SMITHKLINE BEECHAM CORPORATION A PENNSYLVANIA CORPORATION

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office



Prior U.S. Cls.: 21 and 29

United States Patent and Trademark Office

Amended

Reg. No. 1,662,981 Registered Oct. 29, 1991 OG Date Dec. 14, 1993

# TRADEMARK PRINCIPAL REGISTER

### **AQUAFRESH FLEX**

SMITHKLINE BEECHAM CORPORA-TION (PENNSYLVANIA CORPORA-TION)
P.O. BOX 7929
ONE FRANKLIN PLAZA
PHILADELPHIA, PA 19101, BY MERGER
AND MERGER WITH BEECHAM INC.
(TENNESSEE CORPORATION) BRIS-TOL, TN

OWNER OF U.S. REG. NO. 1,006,820 AND OTHERS.

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 21 AND 29).

FIRST USE 7-15-1990; IN COMMERCE 7-15-1990.

SER. NO. 74-062,559, FILED 5-25-1990.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on Dec. 14, 1993.

COMMISSIONER OF PATENTS AND TRADEMARKS

Prior U.S. Cls.: 21 and 29

# United States Patent and Trademark Office Registered Oct. 29, 1991

# TRADEMARK PRINCIPAL REGISTER

### **AQUA-FRESH FLEX**

BEECHAM INC. (TENNESSEE CORPORATION) 501 FIFTH STREET BRISTOL, TN 37620

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 21 AND 29).

FIRST USE 7-15-1990; IN COMMERCE 7-15-1990.

OWNER OF U.S. REG. NO. 1,006,820 AND OTHERS.

SN 74-062,559, FILED 5-25-1990.

JEAN E. LOGAN, EXAMINING ATTORNEY



# THE UNIVERS OF AMERICA

### TO ALL TO WHOM THESE PRESENTS SHALL, COMES

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,006,821 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM March 18, 1975 2nd RENEWAL FOR A TERM OF 10 YEARS FROM March 18, 2005 SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

SMITHKLINE BEECHAM CORPORATION
A PENNSYLVANIA CORPORATION

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office



Prior U.S. Cl.: 51

United States Patent and Trademark Office

Reg. No. 1,006,821

Registered Mar. 18, 1975

10 Year Renewal

Renewal Term Begins Mar. 18, 1995

#### **TRADEMARK** PRINCIPAL REGISTER

### **AQUAFRESH**

SMITHKLINE BEECHAM CORPORA-TION (PENNSYLVANIA CORPORA-TION) TION)
ONE FRANKLIN PLAZA
P.O. BOX 7929
PHILADELPHIA, PA 19101, BY ASSIGNMENT, MERGER AND MERGER
WITH BEECHAM INC. (NEW JERSEY
CORPORATION) CLIFFSIDE, NJ

OWNER OF U.S. REG. NOS. 881,389, 975,620 AND OTHERS.

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CL. 51).

FIRST USE 8-25-1972; IN COMMERCE 8-25-1972.

SER. NO. 73-025,592, FILED 6-28-1974.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on July 11, 1995.

COMMISSIONER OF PATENTS AND TRADEMARKS

Prior U.S. Cl.: 51

# United States Patent Office

Reg. No. 1,006,821 Registered Mar. 18, 1975

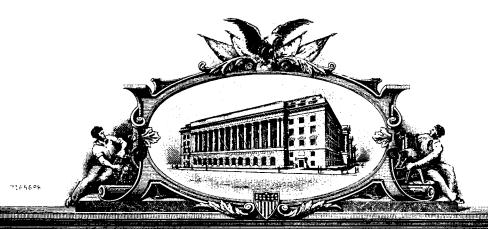
# TRADEMARK Principal Register

# **AQUAFRESH**

Beecham Inc. (New Jersey corporation) 65 Industrial S. Clifton, N.J. 07012

For: TOOTHPASTE, in CLASS 3 (U.S. CL. 51). First use Aug. 25, 1972; in commerce Aug. 25, 1972. Owner of Reg. Nos. 881,389, 975,620, and others.

Ser. No. 25,592, filed June 28, 1974.



THER UNITED STAYERS OR AVERTOR

### TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,706,176 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM April 15, 2003 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office** 

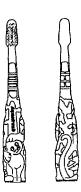


Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

United States Patent and Trademark Office

Reg. No. 2,706,176 Registered Apr. 15, 2003

### TRADEMARK PRINCIPAL REGISTER



SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-30-2000; IN COMMERCE 9-30-2000.

OWNER OF U.S. REG. NOS. 1,006,821, 2,276,630 AND OTHERS.

THE MARK CONSISTS OF THE WORD "AQUAFRESH" AND THE CONFIGURATION OF A TOOTHBRUSH WHICH HAS A HANDLE IN THE SHAPE OF A CAT WITH A BABY CAT STANDING IN FRONT; THE DRAWING DEPICTS BOTH THE FRONT AND BACK VIEWS OF THE DESIGN MARK.

SER. NO. 76-242,063, FILED 4-17-2001.

SAMUEL E. SHARPER JR., EXAMINING ATTOR-



# THE UNITED STAYIES OF AN ERICA

### TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,699,482 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM March 25, 2003 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office** 



Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

Reg. No. 2,699,482

## United States Patent and Trademark Office

Registered Mar. 25, 2003

### TRADEMARK PRINCIPAL REGISTER



SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-30-2000; IN COMMERCE 9-30-2000.

OWNER OF U.S. REG. NOS. 1,006,821, 2,276,630 AND OTHERS.

THE MARK CONSISTS OF THE WORD "AQUA-FRESH" AND THE CONFIGURATION OF A TOOTHBRUSH WHICH HAS A HANDLE IN THE SHAPE OF A PENGUIN WITH A BABY PENGUIN STANDING IN FRONT; THE DRAWING DEPICTS BOTH THE FRONT AND BACK VIEWS OF THE DESIGN MARK.

SER. NO. 76-241,924, FILED 4-17-2001.

SAMUEL E. SHARPER JR., EXAMINING ATTORNEY



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# TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,706,175 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM April 15, 2003 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

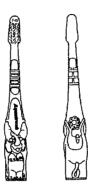


Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

# United States Patent and Trademark Office

Reg. No. 2,706,175 Registered Apr. 15, 2003

# TRADEMARK PRINCIPAL REGISTER



SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-30-2000; IN COMMERCE 9-30-2000.

OWNER OF U.S. REG. NOS. 1,006,821, 2,276,630 AND OTHERS.

SER. NO. 76-241,913, FILED 4-17-2001.

SAMUEL E. SHARPER JR., EXAMINING ATTORNEY



# THE UNIVERS OF AMERICA

### TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,587,675 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM July 02, 2002 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office



Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

United States Patent and Trademark Office

Reg. No. 2,587,675 Registered July 2, 2002

### TRADEMARK PRINCIPAL REGISTER



SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 6-30-1999; IN COMMERCE 6-30-1999.

OWNER OF U.S. REG. NOS. 1,006,821, 1,906,569 AND OTHERS.

THE MARK CONSISTS OF THE STYLIZED WORDS "AQUAFRESH FLEX" IN COLOR DARK BLUE WITH WHITE OUTLINING; THESE WORDS APPEAR ON A BLUISH-GREEN BACKGROUND IN AN ELONGATED OVAL SHAPE.

SER. NO. 76-157,182, FILED 10-31-2000.

SAMUEL E. SHARPER JR., EXAMINING ATTORNEY



THE UNIVERS OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 26, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,754,841 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM August 26, 2003 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

P. R. GRANT

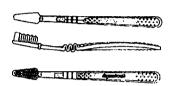


Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

Reg. No. 2,754,841 Registered Aug. 26, 2003

#### United States Patent and Trademark Office

TRADEMARK
PRINCIPAL REGISTER



SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA P.O. BOX 7929 PHILADELPHIA, PA 19101

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 7-15-1990; IN COMMERCE 7-15-1990.

OWNER OF U.S. REG. NOS. 1,662,981, 2,299,454 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE REPRESENTATION OF THE FUNCTIONALITY OF THE FLEXIBLE HEAD, APART FROM THE MARK AS SHOWN.

THE STIPPLING IN THE MARK IS INTENDED TO REPRESENT A COLOR OTHER THAN WHITE.

THE MARK IS CONSISTS OF "AQUAFRESH" AND THE THREE-DIMENSIONAL, OVERALL APPEARANCE OF A TOOTHBRUSH FEATURING A WHITE BACKGROUND COLOR, A COLORED

BAND JUST BELOW THE BRISTLES, AND ON THE FRONT: COLORED INSERTS, THE LARGER OF WHICH HAS RAISED CIRCULAR BUMPS ON THE TOP AND BOTTOM, THREE WHITE STRIPES SEPARATED BY TWO THINNER COLORED STRIPES; ON THE BACK: COLORED INSERTS, THE LARGER OF WHICH HAS RAISED CIRCULAR BUMPS ON THE TOP AND BOTTOM, TWO WHITE STRIPES SEPARATED BY THREE THINNER COLORED STRIPES, A VERTICAL COLORED LINE RUNNING FROM THE LARGE INSERT, THROUGH THE THREE STRIPES TO THE BOTTOM OF THE SMALLER INSERTS; AND, ON THE SIDE: A SERPENTINE, REPEATED "S" DESIGN ON THE SIDE OF THE TOOTHBRUSH (TOWARDS THE TOP OF THE HANDLE) WITH A COLORED STRIPE RUNNING THROUGH THE "S" DESIGN, AND A BOWED HANDLE.

SEC. 2(F).

SER. NO. 76-035,013, FILED 4-21-2000.

SAMUEL E. SHARPER JR., EXAMINING ATTORNEY



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#### TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,759,361 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM September 02, 2003 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office



Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40, and 50

Reg. No. 2,759,361
Registered Sep. 2, 2003

United States Patent and Trademark Office

# TRADEMARK PRINCIPAL REGISTER

## AQUAFRESH FLEX TIP MAX-ACTIVE

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA, P.O. BOX 7929 PHILADELPHIA, PA 19101 NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TIP", APART FROM THE MARK AS SHOWN.

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

SN 76-052,171, FILED 5-19-2000.

FIRST USE 9-30-2000; IN COMMERCE 9-30-2000.

OWNER OF U.S. REG. NOS. 1,662,981, 2,005,754, AND OTHERS.

SAMUEL E. SHARPER JR., EXAMINING ATTORNEY



THE UNIVERS DEAMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

**United States Patent and Trademark Office** 

January 26, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,314,839 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM February 01, 2000 SECTION 8 & 15
AMENDMENT/CORRECTION/NEW CERT(SEC7) ISSUED
SAID RECORDS SHOW TITLE TO BE IN:

Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

P. R. GRANT

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Amended

Reg. No. 2,314,839
Registered Feb. 1, 2000
OG Date July 10, 2001

## TRADEMARK PRINCIPAL REGISTER

#### AQUAFRESH ALL

SMITHKLINE BEECHAM CORPORA-TION (PENNSYLVANIA CORPORA-TION) ONE FRANKLIN PLAZA, P.O. BOX 7929 PHILADELPHIA, PA 19101 OWNER OF U.S. REG. NOS. 1,006,821, 1,038,376 AND OTHERS. FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 5-24-1999; IN COMMERCE 5-24-1999.

SER. NO. 75-191,007, FILED 11-1-1996.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on July 10, 2001.

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52

Reg. No. 2,314,839

United States Patent and Trademark Office

Registered Feb. 1, 2000

# TRADEMARK PRINCIPAL REGISTER

#### **AQUAFRESH ALL**

SMITHKLINE BEECHAM CORPORATION (PENN-SYLVANIA CORPORATION) ONE FRANKLIN PLAZA, P.O. BOX 7929 PHILADELPHIA, PA 19101

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 5-24-1999; IN COMMERCE 5-24-1999. OWNER OF U.S. REG. NOS. 1,006,821, 1,038,376, AND OTHERS.

SN 75-191,007, FILED 11-1-1996.

MARY ROSSMAN, EXAMINING ATTORNEY



## THER UNIVERD STAYIRS OR ANDREICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 26, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,615,649 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM September 03, 2002 SECTION 8 & 15 LESS GOODS CLASS(ES) CANCELLED: INT CLASS 030

SAID RECORDS SHOW TITLE TO BE IN:

Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

P. R. GRANT

Int. Cls.: 3 and 30

Prior U.S. Cls.: 1, 4, 6, 46, 50, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,615,649 Registered Sep. 3, 2002

#### TRADEMARK PRINCIPAL REGISTER

#### AQUAFRESH EXTREME CLEAN

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA P.O. BOX 7929 PHILADELPHIA, PA 19101

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 5-20-2002; IN COMMERCE 5-20-2002.

FOR: CHEWING GUM, IN CLASS 30 (U.S. CL. 46).

FIRST USE 5-20-2002; IN COMMERCE 5-20-2002.

OWNER OF U.S. REG. NOS. 1,006,821, 1,954,329, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CLEAN", APART FROM THE MARK AS SHOWN.

SN 75-567,009, FILED 10-7-1998.

MARY ROSSMAN, EXAMINING ATTORNEY



## THE UNIVERSITY OF A VERY CA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 26, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,811,892 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM February 03, 2004 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

P. R. GRANT



Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,811,892 Registered Feb. 3, 2004

# TRADEMARK PRINCIPAL REGISTER

#### **AQUAFRESH AQUABLAST**

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHBRUSH CLEANERS AND ORAL APPLIANCE CLEANERS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 8-18-2003; IN COMMERCE 8-18-0203.

OWNER OF U.S. REG. NOS. 1,006,820, 2,304,437, AND OTHERS.

SN 78-230,080, FILED 3-26-2003.

APRIL L. RADEMACHER, EXAMINING ATTORNEY



THER UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 26, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,058,216 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM February 07, 2006 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

P. R. GRANT



Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40, and 50

United States Patent and Trademark Office

Reg. No. 3,058,216 Registered Feb. 7, 2006

#### TRADEMARK PRINCIPAL REGISTER

#### **AQUAFRESH XTENSIVE**

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA

ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 2-1-2005; IN COMMERCE 2-1-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,699,482, 2,814,290, AND OTHERS.

SN 78-393,676, FILED 3-31-2004.

DANIEL BRODY, EXAMINING ATTORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COMES

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,218,965 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM March 13, 2007 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

W. MONTGOMERY



Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52

#### United States Patent and Trademark Office

Reg. No. 3,218,965

#### Registered Mar. 13, 2007

#### TRADEMARK PRINCIPAL REGISTER

#### AQUAFRESH WHITE & SHINE

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19102

FOR: ORAL CARE PREPARATIONS, NAMELY DENTAL GELS, DENTIFRICES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 2-28-2006; IN COMMERCE 2-28-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,006,821, 2,985,544, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WHITE", APART FROM THE MARK AS SHOWN.

SN 78-742,205, FILED 10-28-2005.

STEPHANIE DAVIS, EXAMINING ATTORNEY



THE UNITED STATES OF AVER CA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,110,249 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM June 27, 2006 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

W. MONTGOMERY



Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52

Reg. No. 3,110,249

United States Patent and Trademark Office

Registered June 27, 2006

#### TRADEMARK PRINCIPAL REGISTER

### **AQUAFRESH IMPACT**

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION) ONE FRANKLIN PLAZA PHILADELPHIA, PA 19101

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 2-7-2005; IN COMMERCE 2-7-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,006,821, 2,820,508, AND OTHERS.

SN 78-440,441, FILED 6-24-2004.

JAMES GRIFFIN, EXAMINING ATTORNEY



THE UNITED STAYES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,985,548 IS CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM August 16, 2005 SAID RECORDS SHOW TITLE TO BE IN: Registrant

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office

W. MONTGOMERY



Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

United States Patent and Trademark Office

Reg. No. 2,985,548

Registered Aug. 16, 2005

#### TRADEMARK PRINCIPAL REGISTER

### **AQUAFRESH DIRECT**

SMITHKLINE BEECHAM CORPORATION (PENNSYLVANIA CORPORATION)

ONE FRANKLIN PLAZA

PHILADELPHIA, PA 19101

FOR: TOOTHBRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-30-2002; IN COMMERCE 9-30-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,006,821, 2,326,773 AND OTHERS.

SER. NO. 78-453,790, FILED 7-21-2004.

JANICE L. MCMORROW, EXAMINING ATTORNEY



HIP UNIVERD STAVERS OF AMERICA

<u>TO ALL TO WHOM THESE PRESENTS SHALL COMES</u> UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office

January 22, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,660,337 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM October 08. 1991 1st RENEWAL FOR A TERM OF 10 YEARS FROM October 08, 2001 **SECTION 8 & 15** 

SAID RECORDS SHOW TITLE TO BE IN:

SMITHKLINE BEECHAM CORPORATION A PENNSYLVANIA CORPORATION

By Authority of the

**Under Secretary of Commerce for Intellectual Property** and Director of the United States Patent and Trademark Office



(U.S. CL. 44).

Prior U.S. Cl.: 44

Reg. No. 1,660,337

### **United States Patent and Trademark Office**

Registered Oct. 8, 1991

# TRADEMARK PRINCIPAL REGISTER

#### **AQUA FLOSS**

TOCAD CO., LTD. (JAPAN CORPORATION) 4–6, 1-CHOME KITASENZOKU, OTA-KU, TOKYO 145, JAPAN

FOR: WATER JET ORAL HYGIENE DEVICE FOR CLEANING AND IRRIGATING GUMS AND SPACES BETWEEN TEETH, IN CLASS 10 FIRST USE 6-1-1990; IN COMMERCE 6-1-1990.

SN 74-025,271, FILED 2-2-1990.

CARYN HINES, EXAMINING ATTORNEY